

REMARKS

In the Final Action dated February 24, 2004, claims 1, 5, 8-9, 11-12 and 31-34 are pending and under consideration. Claims 12 and 31-32 are rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to satisfy the written description requirement. Claims 1, 5, 12 and 31-34 are rejected under 35 U.S.C. § 112, first paragraph, for allegedly lacking enablement. Claims 1, 5 and 33-34 are further rejected under 35 U.S.C. § 112, first paragraph, for allegedly failing to satisfy the enablement and the written description requirements. In addition, claims 32-34 are rejected under 35 U.S.C. §112, second paragraph, as allegedly indefinite. The Examiner has indicated that claims 8-9 and 11 are objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form.

This Response addresses each of the Examiner's rejections. Specifically, in an effort to expedite allowance of the present application, Applicant has canceled claims 1, 5, 12 and 31-34, rendering all the rejections of these claims moot. Applicant reserves the right to pursue the subject matter of these canceled claims in a continuation application. Claim 8 has been rewritten as an independent claim. Claim 9 depends from claim 8, and claim 11 depends from claims 8-9. Applicant therefore respectfully requests withdrawal of the rejections raised in the Final Action.

Applicant further submits herewith a substitute computer readable copy and paper copy of the Sequence Listing. By way of the substitute Sequence Listing, Applicant has corrected a typographical error in the amino acid sequence of SEQ ID NO: 5. Specifically, Glycine at position 236 of SEQ ID NO: 5 has been replaced with Arginine. Support for this correction is found in the human sequence set forth in Figure 9, the 6th row, of the present application. As SEQ ID NO: 4 encodes the amino acids of SEQ ID NO: 5, Applicant has also corrected the corresponding amino acid at position 236 from Gly to Arg underneath the

nucleotide sequence of SEQ ID NO: 4, without modifying the corresponding codon or nucleotides of SEQ ID NO: 4. Additionally, in the substitute Sequence Listing, Applicant has specified "Xaa" at position 3 of SEQ ID NO: 1 as "any amino acid", as disclosed in the specification, e.g., at page 2, line 21. It is respectfully submitted that the substitute Sequence Listing provided herewith does not introduce new matter. A Statement under 37 C.F.R. 1.821(f), verifying the identity between the content of the computer readable copy and the content of the paper copy of the Sequence Listing, is also enclosed.

In view of the foregoing amendments and remarks, it is firmly believed that the subject application is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,



Xiaochun Zhu
Registration No. 56,311

Scully, Scott, Murphy & Presser
400 Garden City Plaza-STE 300
Garden City, New York 11530
(516) 742-4343

XZ:ab